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REMARKS/ARGUMENTS

Claims 1-21 and 24-30 remain pending in the application. Applicant, by this paper, amends claims 1, 8, 16, and 18 and requests reconsideration and allowance of all pending claims.

Discussion of Rejections Under 35 U.S.C. §103

Claims 1, 3-5, and 7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Publication No. 2001/0032237 to Miyake et al. (hereinafter Miyake) in view of U.S. Patent No. 6,079,019 to Fukuzumi (hereinafter Fukuzumi). Claims 2, 6, 8-14, 16-18, 21, and 24 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyake in view of Fukuzumi and further in view of U.S. Patent No. 5,282,247 to McLean et al. (hereinafter McLean). Claim 15 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyake in view of Fukuzumi and further in view of U.S. Patent No. 6,738,9012 to Boyles et al. (hereinafter Boyles). Claims 19-20, 22-30 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyake in view of Fukuzumi and further in view of McLean and further in view of Boyles.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be reasonable expectation of success. Finally, the prior art reference, or references when combined, must teach or suggest all of the claim limitations.

Claims 1 and 8 recite a memory card, while claims 16 and 18 recite a method of accessing usernames and passwords in a memory card. Claims 1 and 8 have been amended to include the similar feature of a structure in the memory card operating to "selectively decrypt[] information in the portion of memory having the associated first username and first password in response to the valid request while allowing a distinct portion of the memory to remain encrypted." Support for the amendment can be found, for example, in Applicant's Specification, at paragraph [0037] (describing "decrypting the information as the electronic device requests it" in contrast to decrypting the entire memory contents). Similarly, claims 16 and 18 have been

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amended to include a feature similar to "decrypting a portion of memory having the username and corresponding password in response to the request, while allowing a distinct portion of memory to remain encrypted."

This claimed feature is neither taught nor suggested by the cited references, whether alone or in combination. The Examiner concedes that Miyake and Fukuzumi, whether alone or in combination, fail to teach or suggest decrypting of data in a memory card and relies on the description provided in McLean.

However, the portions of McLean cited by the Examiner, Col. 4, ll. 26-36, Col. 3, ll. 15-29, and Col. 9, ll. 3-13 fail to describe decrypting of data stored in the memory card and fail to describe decrypting of only a portion of the data in the memory card. Indeed, the portions of McLean at Col. 4, ll. 26-36 and Col. 3, ll. 15-29 fail to even mention decryption or encryption of the data in the memory card. These cited paragraphs at best describe how the memory card data can be secured by password protecting access to the data.

The portion of McLean at Col. 9, ll. 3-13 describe encrypting the password used to unlock the memory card, and not passwords or other data stored on the memory card. Moreover, none of the cited references describes or even suggests decryption of only a portion of the contents of the memory card. Also, none of the cited references teaches nor suggest that there is any relationship between an encrypted portion of memory and a valid request from a network address. None of the cited references makes any connection between the request from a network address and encryption or decryption.

Similarly, **claims 16 and 18** feature decrypting a portion of the memory in response to a request, where the request refers to the request for username and password from a network address. None of the cited references describes decrypting a portion of memory in response to the request.

Therefore, claims 1, 8, 16, and 18 are believed to be allowable over the cited references, because the references, whether alone or in combination, fail to teach or suggest every claimed feature. Applicant respectfully requests allowance of the claims.

Furthermore, there is no motivation to combine or modify the teachings of the references in the manner suggested by the Examiner. The Examiner states that it would be obvious to combine the teachings of Miyake with McLean in order to increase the level of security.

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However, the Examiner provides no motivation as to how such a generalized motivation would lead one of ordinary skill in the art to make the specific features of Applicant's claimed invention. The generalized motivation to increase security provides no indication to one of ordinary skill in the art that relates memory card encryption or decryption with a network address. Moreover, there is nothing in the references or in the general motivation to increase security that would lead one to relate network addresses and requests from network addresses to partial decryption of the memory contents. Thus, for the independent reason that there is no motivation to modify or combine the cited references in the manner suggested by the Examiner, claims 1, 8, 16 and 18 are believed to be allowable and Applicant respectfully request allowance of the claims.

Claim 24 recites a method of accessing monetary account information. The method includes "receiving a request for payment data from a requesting network address" and "retrieving requested payment data from memory within the smart memory card." This combination of claimed features is neither taught nor suggested by the cited references, whether alone or in combination.

The Examiner concedes that Miyake and McLean fail to describe payment data. See, Office Action, at page 9. The Examiner contends that Boyles describes this claimed feature. However, the cited portion of Boyles , Col. 19, ll. 17-23, fail to even discuss payment data from memory within the smart memory card. Instead, Boyles refers to "cash value allocated to the user and *stored in the server*." Boyles, Col. 9, ll. 18-19 (*emphasis added*). Thus, Boyles does not teach nor suggest any payment data in the memory of the smart card, and describes exactly the opposite, that is, cash value stored in a server.

Moreover, there is no motivation to combine or modify the references in the manner suggested by the Examiner. The Examiner provides as the motivation to combine Boyles with Miyake and McLean an "ability to make purchases on the internet, as taught in Boyles." *Office Action*, at page 10.

Even if Boyles describes the generalized motivation to allow purchases on the Internet, there is nothing about this generalized motivation that would lead one to include payment data in a smart memory card, nor would it lead one to relate access requests to the transmission of

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payment data from a smart memory card, as claimed. ("...if the access request is valid, transmitting the requested payment data to the requesting network address.").

Therefore, there is no motivation to combine or modify the cited references in a manner that would lead to Applicant's claimed invention. The cited references fail to teach the specific claimed features, and there is nothing in the references or in the Examiner's general motivation to allow payment over the Internet, that would lead one of ordinary skill in the art to Applicant's specific claimed invention. Applicant respectfully requests reconsideration and allowance of claim 24 because the references fail to teach all claimed features and there is no motivation to combine or modify the references in a manner that would lead to the claimed invention.

Discussion of Dependent Claims

Claims 2-7, 9-15, 17, 19-21, and 25-30 depend either directly or indirectly from one of claims 1, 8, 16, 18, or 24 and are believed to be allowable at least for the reason that they depend from an allowable claim.

Each of the dependent claims may have individual bases for patentability beyond those discussed above in relation to the independent claims. It is not necessary to discuss the patentable distinctions of each dependent claim because of the allowability of the base claims from which they depend. However, Applicant provides some illustrative examples.

Claims 3, 12, 13 and 14 describe a universal serial bus (USB). The Examiner contends that the USB bus is described in Miyake. However, Miyake fails to even discuss a USB connection and does not suggest a USB connection to a memory card having a controller within the memory card.

Claim 14 also recites that the electronic device is a portable telephone. The Examiner cites to McLean as describing this feature. However, the cited portion of McLean fails to even mention a portable telephone, and there is nothing that describes the ability of a portable telephone to access a network address.

As noted before, it is not necessary to discuss the patentable distinctions of each dependent claim because of the allowability of the base claims from which they depend.

Applicant respectfully requests reconsideration and allowance of claims 2-7, 9-15, 17, 19-21, and 25-30.

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<u>CONCLUSION</u>

Applicant believes that all claims pending in the application are allowable. Applicant therefore respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned.

Respectfully submitted,

Dated: _____June 21, 2006_____   By: _____

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